

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
vs. ) Case No. 1:02-CR-219  
KERI L. HALFACRE )  
 ) JUDGE COLLIER

## MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on March 14, 2008, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision of U.S. Probation Officer Bobby J. Byars and the Warrant for Arrest issued by Chief U.S. District Judge Curtis L. Collier. Those present for the hearing included:

- (1) AUSA Robert Anderson for the USA.
- (2) Defendant KERI L. HALFACRE.
- (3) Attorney Lee Ortwein for defendant.
- (4) Deputy Clerk Pam Scott.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Lee Ortwein was appointed to represent the defendant. It was determined the defendant had been provided with a copy of the Petition for Warrant for Offender Under Supervision and the Warrant for Arrest and had the opportunity of reviewing those documents with Atty. Ortwein. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

Defendant waived his right to a preliminary hearing and detention hearing.

AUSA Anderson moved defendant be detained pending a hearing to determine whether his term of supervision should be revoked.

## Findings

(1) Based upon U.S. Probation Officer Bobby J. Byars' petition and defendant's waiver of preliminary hearing and detention hearing, the undersigned finds there is probable cause to believe defendant has committed violations of his conditions of

supervised release as alleged in the petition.

Conclusions

\_\_\_\_ It is ORDERED:

- (1) The defendant, KERI L. HALFACRE, shall appear in a revocation hearing before Chief U.S. District Judge Curtis L. Collier.
- (2) The motion of AUSA Anderson that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Collier is GRANTED.
- (3) The U.S. Marshal shall transport KERI L. HALFACRE to a revocation hearing before Judge Collier on **Thursday, March 20, 2008, at 2:00 p.m.**

ENTER.

Dated: March 14, 2008

*/William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE